

Appl. No. 10/542,225  
Amdt. Dated April 30, 2009  
Reply to Office Action of October 30, 2008

Attorney Docket No. 81887.0128  
Customer No.: 26021

REMARKS/ARGUMENTS:

Claims 1 and 7 are amended. New claims 14-18 are added. Claims 1-18 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

The invention relates to a wireless communication terminal, and more particularly, to a wireless communication terminal capable of reducing unnecessary idle handoff and to a handoff determination method thereof. (Applicant's specification, at p. 1, lines 7-10).

CLAIM OBJECTIONS:

Claim 11 is objected to because of the following informalities: the new added limitation was introduced into the claim but the status of the claim has not been correctly updated. Appropriate correction is required.

In response, Applicant respectfully submits that in the amendment dated August 8, 2008, claim 11 was inadvertently and incorrectly listed as being "previously presented" when it should have been listed as being "currently amended." However, in the present amendment the "previously presented" designation accurately reflects the status of claim 11. Withdrawal of this objection is thus respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103:

Claims 1-4, 6-10, and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shi (U.S. Patent No. 6,320,855) and further in view of Andrus et al. (U.S. Patent Application Publication No. 2003/0203735). Applicant respectfully traverses this rejection. Claim 1, as amended, is as follows:

A wireless communication terminal comprising:

a measurement section that measures quality of a signal transmitted from a base station;

a determination section that determines whether or not handoff is to be performed based on a measurement result of the measurement section and a criterion of the determination of the handoff; and

a handoff section that performs the handoff based on a determination result of the determination section,

wherein the determination section determines whether the handoff section has performed a predetermined repetition pattern of handoffs, and changes the criterion of the determination of the handoff if it is determined that the handoff section has performed the predetermined repetition pattern of handoffs.

Applicant respectfully submits that the cited references cannot render claim 1 obvious, because the cited references fail to teach or suggest "a determination section that determines whether or not handoff is to be performed based on a measurement result of the measurement section and a criterion of the determination of the handoff; and a handoff section that performs the handoff based on a determination result of the determination section, wherein the determination section determines whether the handoff section has performed a predetermined repetition pattern of handoffs, and changes the criterion of the determination of the handoff if it is determined that the handoff section has performed the predetermined repetition pattern of handoffs."

Claim 1, as amended, clarifies the role of the "predetermined repetition pattern" which is neither taught nor suggested by Shi or Andrus.

In light of the foregoing, Applicant respectfully submits that the cited references cannot render claim 1 obvious, because the cited references fail to teach

or suggest each and every claim limitation. Claims 2-4 and 6 depend from claim 1 and cannot be rendered obvious for at least the same reasons as claim 1. Withdrawal of this rejection is thus respectfully requested.

Claims 7-10 and 12, as amended, recite similar features of claim 1 and similarly, clarify the role of the “predetermined repetition pattern.”

In light of the foregoing, Applicant respectfully submits that the cited references cannot render claims 7-10 and 12 obvious, because the cited references fail to teach or suggest each and every claim limitation. Withdrawal of this rejection is thus respectfully requested.

Claims 5 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Shi and further in view of Rajkotia et al. (U.S. Patent Application Publication No. 2004/0121774). Applicant respectfully traverses this rejection.

Rajkotia appears to teach using time-average in order to avoid short-term fluctuations (Rajkotia, paragraph [0076]). However, neither Shi nor Rajkotia teach or suggest that the determination section determines whether the handoff is to be performed based selectively on either one of two values obtained by two averaging methods.

In light of the foregoing, Applicant respectfully submits that the cited references cannot render claims 5 and 11 obvious, because the cited references fail to teach or suggest each and every claim limitation. Withdrawal of this rejection is thus respectfully requested.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Shi in view of Rajkotia and further in view of Nobuhiro (JP 07-030945). Applicant respectfully traverses this rejection.

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Claim 13 depends from claim 5 and therefore, cannot be rendered obvious over Shi and Rajkotia for at least the same reasons discussed above. Nobuhiro cannot remedy the defect of Shi and Rajkotia and is not relied upon by the Office for such. Instead, the Office cites Nobuhiro for teaching a system and method for channel changeover where the changeover is based on a mobile station's information such as a reception level.

In light of the foregoing, Applicant respectfully submits that the cited references cannot render claim 13 obvious, because the cited references fail to teach or suggest each and every claim limitation. Withdrawal of this rejection is thus respectfully requested.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4600 to discuss the steps necessary for placing the application in condition for allowance.

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If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,  
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